

**CHAPTER NO. 917**

**HOUSE BILL NO. 3183**

**By Representatives McDonald, Fowlkes, Robinson, Bone, Maddox, Goins, Ford, Patton, Mike Walker**

**Substituted for: Senate Bill No. 3210**

**By Senator Haun**

AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 10, Part 1, relative to road signs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 10, Part 1, is amended by adding the following new section thereto:

Section \_\_.(a) The possession of a municipal or county traffic control sign erected upon any municipal or county street, road or highway by any person who is not an employee of a municipal or county highway department, or who has not entered into a contract with a municipality or county for the sale or erection of a traffic control sign, is a Class B misdemeanor punishable by a fine only of not more than five hundred dollars (\$500). The possession of each traffic control sign in violation of this section shall be considered a separate offense.

(b) The provisions of this section shall only apply to a municipal or county traffic control sign which contains markings or other form of identification upon such traffic control sign indicating the municipality or county which erected or caused to be erected such sign, and the date such sign was acquired or erected by such municipality or county.

(c) In addition to the fine provided for in (a), any person convicted of a violation of this section shall also be required to pay restitution to the highway department, which erected or caused to be erected such traffic control sign, for the costs of replacing the sign. The highway department shall submit information documenting the costs of replacement for the judge to review. After review, the judge shall order the appropriate amount of restitution which shall be distributed directly to the highway department.

(d) The provisions of this section shall only apply to municipal or county traffic control signs which are acquired or erected after the effective date of this act.

Section \_\_.(a) The possession of a municipal or county street, road or highway sign erected upon any municipal or county street, road or highway by any person who is not an employee of a municipal or county highway department, or who has not entered into a contract with a municipality or county for the sale or erection of a street, road or highway sign, is a Class B misdemeanor punishable by a fine only of not more than five hundred dollars (\$500). The possession of each street, road or highway sign in violation of this section shall be considered a separate offense.

(b) The provisions of this section shall only apply to a municipal or county road, street or highway sign which contains markings or other form of

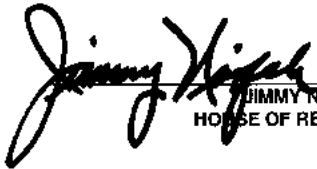
identification upon such sign indicating the municipality or county which erected or caused to be erected such sign, and the date such sign was acquired or erected by such municipality or county.


(c) In addition to the fine provided for in (a), any person convicted of a violation of this section shall also be required to pay restitution to the highway department, which erected or caused to be erected such street, road or highway sign, for the costs of replacing the sign. The highway department shall submit information documenting the costs of replacement for the judge to review. After review, the judge shall order the appropriate amount of restitution which shall be distributed directly to the highway department.

(d) The provisions of this section shall only apply to municipal or county street, road or highway signs which are acquired or erected after the effective date of this act.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.

**PASSED: April 22, 1998**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 7<sup>th</sup> day of May 1998**

  
DON SUNDQUIST, GOVERNOR